

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

**JOSE A RIVERA GONZALEZ
LIZZETTE JANEL AVILES VEGA**

DEBTOR(S)

CASE NO. 10-11784-BKT

CHAPTER: 13

MOTION REQUESTING DISMISSAL

TO THE HONORABLE COURT:

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Movant herein, through its undersigned counsel, and very respectfully to the Honorable Court, alleges and prays as follows:

1. Movant is the holder in due course of a duly executed conditional sales contract over motor vehicle NISSAN TITAN 2006 registered under number 3451027, executed by debtor(s) on JULY 11, 2007.

2. Debtor's(s') has failed to renew their annual insurance policy for the motor vehicle(s) described in averment 1. The maturity date of the previous insurance policy was **JULY 11, 2011.**

3. Debtor's(s') have failed to provide for adequate protection to Movant's secured claim, in accordance with the requirements set forth in 11 USC §361.

4. Section 1307 (c)(1) of the Bankruptcy Code provides for the dismissal of a case under Chapter 13 "for cause, including unreasonable delay by the debtor that is prejudicial to creditors".

WHEREFORE, Movant requests the dismissal of the instant case since debtor(s) has (have) failed to provide adequate protection in the form of insurance over the collateral securing Movant's claim.

NOTICE TO ALL PARTIES is herein given to the effect that if no opposition is filed within thirty (30) from this notice the Court may enter an Order dismissing the case without further hearing.

CERTIFICATE OF SERVICE

I hereby certify that the present motion was filed electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the **JOSE R. CARRION**, Trustee and **JUAN O. CALDERON LITHGOW**, Debtor(s) Attorney and that we have sent copy of this document through regular mail to Debtor(s) **JOSE A RIVERA GONZALEZ, LIZZETTE JANEL AVILES VEGA, PO BOX 144 VEGA ALTA, PR 00692** and to all non CM/ECF participants interested as per mailing list which is hereby included.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 31 day AUGUST, 2011.

/S/ CARLOS E. PEREZ PASTRANA
USDC-208913

Attorney for Movant

PO BOX 21382

SAN JUAN, PR 00928-1382

TEL. 787-625-6645 FAX: 787-625-4891

cperezp@reliablefinancial.com

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**JOSE A RIVERA GONZALEZ
LIZZETTE JANEL AVILES VEGA**

DEBTOR(S)

CASE NO 10-11784-BKT

CHAPTER 13

**MOTION SUBMITTING DECLARATION
UNDER PENALTY OF PERJURY**

Comes now, RELIABLE FINANCIAL SERVICES, holder of a secured claim and Creditor herein and submitting to the Honorable Court the following declaration:

I, **HILDARIS B. BURGOS MURIEL**, Bankruptcy Official for RELIABLE FINANCIAL SERVICES, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by Department of Defense Manpower Data Center (DMDC), debtor(s) is(are) not on active military duty nor in the military service and does not fall within the Service Member Civil Relief Act of 2003.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30 day of AUGUST, 2011.

S/HILDARIS B. BURGOS MURIEL
Bankruptcy Official
P. O. Box 21382
San Juan, PR 00928-1382
Tel. (787)625-6647 FAX:(787)625-4891
hburgosm@reliablefinancial.com

Department of Defense Manpower Data Center

Aug-30-2011 11:45:54



Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
RIVERA	JOSE	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

A handwritten signature in black ink that reads "Mary M. Snavely-Dixon".

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:82OK1TGQIV

Department of Defense Manpower Data Center

Aug-30-2011 11:48:55



Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
AVILES	LIZZETTE	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

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Mary M. Snavely-Dixon, Director
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1600 Wilson Blvd., Suite 400
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Report ID:7BJH7AU3H4

Label Matrix for local noticing 0104-3 Case 10-11784-BKT13 District of Puerto Rico Old San Juan Tue Aug 30 15:11:01 AST 2011	BANCO POPULAR as service agent for POPULAR M c/o WALLACE VAZQUEZ SANABRIA 17 MEXICO STREET, SUITE D-1 SAN JUAN, PR 00917-2202	First Bank P O BOX 19327 SAN JUAN, PR 00910-1327
RELIABLE FINANCIAL SERVICES PO BOX 21382 SAN JUAN, PR 00928-1382	STATE INSURANCE FUND CORPORATION PO BOX 365028 SAN JUAN, PR 00936-5028	TREASURY DEPT/DEPT JUSTICE FEDERAL LITIGATION PO BOX 9020192 SAN JUAN, PR 00902-0192
US Bankruptcy Court District of P.R. U.S. Post Office and Courthouse Building 300 Recinto Sur Street, Room 109 San Juan, PR 00901-1964	AEELA MASTERCARD PO BOX 364508 SAN JUAN, PR 00936-4508	ASC DE PROP HACIENDA EL MOLINO INC PO BOX 4069 BAYAMON PR 00958-1069
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BANK OF AMERICA PO BOX 15721 WILMINGTON, DE 19886-5721	BBV PO BOX 364745 SAN JUAN, PR 00936-4745	BFI WASTE SERVICES PO BOX 51986 TOA BAJA, PR 00950-1986
CARICO INTERNATIONAL INC. PO BOX 100187 FORT LAUDERDALE, FL 33310-0187	COMPUSA PO BOX 15521 WILMINGTON, DE 19850-5521	DEPARTAMENTO DEL TRABAJO AVE MUNOZ RIVERA 505 SAN JUAN, PR 00918-3352
DEPTO. DE HACIENDA SECC CERTIFICACION BOX 4515, OFIC 405 SAN JUAN, PR 00936	Department of Treasury Bankruptcy Section (Suite 1504) 235 Ave. Arterial Hostos San Juan Puerto Rico 00918-1451	FIRST BANK BANKRUPTCY DIVISION PO BOX 9146 SAN JUAN PR 00908-0146
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FIRSTBANK LEASING PO BOX 11852 SAN JUAN, PR 00910-3852	FSE PO BOX 42006 SAN JUAN, PR 00940-2206	GE Money Bank c/o Recovery Management Systems Corporat 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605

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assignee of Citibank
Resurgent Capital Services
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Greenville, SC 29603-0587

NORTHWESTERN SELECTA INC
599 CALLE 15 NW
SAN JUAN PR 00920-2110

PEDRO BARBA
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SAN JUAN, PR 00936-3932

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c/o WALLACE VAZQUEZ SANABRIA
17 MEXICO STREET, SUITE D-1
SAN JUAN, PR 00917-2202

(d)RELIABLE FINANCIAL SERVICES
PO BOX 21382
SAN JUAN, PR 00928-1382

(d)State Insurance Fund
PO Box 365028
San Juan, PR 00936-5028

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